

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figs. 4 and 6. These sheets of drawings replace the original sheets of drawings of Figs. 4 and 6.

In Fig. 4, S107 has been changed from "DISPLAY "NOW BEING CONNECTED"" to "ERASE "NOW BEING CONNECTED"".

In Fig. 6 the entry in S304 has been changed from "TO (3)" to "TO (2)".

REMARKS/ARGUMENTS

STATUS OF CLAIMS

In response to the Office Action dated October 2, 2008, claim 1, 18 and 20 have been amended and claim 7 has been cancelled. Claims 1-6 and 8-20 are now pending in this application. No new matter has been added.

DRAWING CORRECTIONS

Replacement sheets of drawings have been submitted for Figs. 4 and 6 to correction minor errors.

In Fig. 4, S107 is changed from "DISPLAY "NOW BEING CONNECTED"" TO "ERASE "NOW BEING CONNECTED"". This is consistent with the description at page 28, lines 12-13. In Fig. 6, the entry in S304 has been changed from "TO (3)" to "TO (2)". This is consistent with the description at page 31, lines 2-6.

AMENDMENTS TO THE SPECIFICATION

Page 30, lines 11-12 of and page 31, lines 20-21 have been amended to provide the correct description and to be consistent with the drawings.

OBJECTION TO ABSTRACT

The Examiner has objected to the Abstract as being too long.

By this response, the Abstract has been amended to be no more than 150 words. A clean copy of the amended Abstract is attached hereto.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

I. Claims 1, 4-6, 8-11, 13, 14 and 16-18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Margulis (US 2001/0021998) in view of Hsu (USPN 6,993,363), relied upon by the Examiner as disclosing a wireless monitor tool for a mobile station wherein a small passive monitor tool provides one or more alerts to a user of a mobile station, including an alert indicating an out-of-range mobile station, or that the mobile station signals are blocked by some obstacle.

Claims 3, 7, 12 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Margulis (US 2001/0021998) in view of Hsu (USPN 6,993,363), as applied to claim 1, and further in view of Sano (USPN 7,167,679).

The rejection of claim 7 is respectfully traversed.

To expedite prosecution, independent claims 1 and 18 have been amended to include all the limitations of claim 7, now cancelled.

Claim 7 delineated:

..., wherein the wireless terminal switches the transmission channels either (i) every cycle corresponding to not less than a period during which the base device selects all the transmission channels, or (ii) every cycle corresponding to a period during which the base device selects all the transmission channels and which corresponds to time in which the wireless terminal maintains one of the transmission channels.

In the Office Action, the Examiner alleges that these features, now included in amended independent claims 1 and 18, are obvious over Margulis and Hsu in view of the following descriptions of Sano (column 11, lines 32-42, column 12, lines 36-42, Figs. 7 and 8 of Sano).

A bit error rate per unit time is calculated by the bit error rate calculation section 73.

The comparison arithmetic operation section 78 compares the calculated bit error with a threshold value, and the result of the comparison is held for a unit time, and a value of the result can be varied after each time unit and can be displayed continuously over time.

When a user command controls the display, if the user turns off the display of the quality level of the received data, no display is performed.

The above descriptions of Sano may be summarized as follows:

A bit error rate per unit time is calculated and the result of comparison between the bit error rate and a threshold value is displayed per unit time.

Therefore, Sano does not describe the following features of amended independent claims 1 and 18:

cycle corresponding to not less than a period during which the base device selects all the transmission channels;

cycle corresponding to a period during which the base device selects all the transmission channels and which corresponds to time in which the wireless terminal maintains one of the transmission channels; and

the wireless terminal switches the transmission channels every cycle.

The wireless terminal of amended independent claims 1 and 18 switches the transmission channels every cycle corresponding to not less than a period during which the base device selects all the transmission channels. Consequently, amended independent claims 1 and 18 yield the effect that, "even when the wireless terminal and the base device simultaneously switch the transmission channels, it is possible to make sure to find a transmission channel on which the wireless terminal and the base device communicate with each other, and thus, the

communication can be established by switching the transmission channels". This does not result in Sano.

Further, the wireless terminal of amended independent claims 1 and 18 switches the transmission channels every cycle corresponding to a period during which the base device selects all the transmission channels and which corresponds to time in which the wireless terminal maintains one of the transmission channels. Consequently, amended independent claims 1 and 18 result in the effect that "the transmission channels are switched after all the transmission channels are searched while the wireless terminal maintains one of the transmission channels, and thus the communication can be established by switching the transmission channels without any interruption of communications". This also does not result in Sano.

In view of the above effects, amended independent claims 1 and 18 are patentable over Margulis, Hsu, and Sano, as are claims 2-6 and 8-17.

III. Claims 19 and 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Margulis (US 2001/0021998) in view of Hsu, (USPN 6,993,363), as applied to claim 1, and further in view of Wang (US 2004/0152414), relied upon by the Examiner as disclosing a remote control device capable of receiving a video signal through a television tuner and displaying the video signal. The remote control device has a CPU that can decode instructions, and a ROM, RAM and Flash memories.

Claim 19 refers to amended independent claim 1. Wang does not remedy the deficiencies of Margulis, Hsu, and Sano with respect to amended independent claim 1. Therefore, claim 19 is patentable over Margulis, Hsu, Sano and Wang,

In addition, independent claim 20 has been amended to be directed to:

A computer program product comprising a computer-readable storage medium, having encoded thereon computer readable program instructions executable by computer that cause the computer to control a wireless terminal which constitutes a wireless system having the wireless terminal and a base device which are connected to each other through a wireless network by performing the steps of:

exchanging, with the base device, either (i) video data and/or audio data, or (ii) a control command containing transmission channel switching information;

detecting a communication condition; and

indicating a transmission condition of at least the control command according to the communication condition that has been detected, wherein

the wireless terminal switches the transmission channels either (i) every cycle corresponding to not less than a period during which the base device selects all the transmission channels, or (ii) every cycle corresponding to a period during which the base device selects all the transmission channels and which corresponds to time in which the wireless terminal maintains one of the transmission channels.

The steps of amended independent claim 20 correspond to the steps of amended independent claim 18, which is patentable over Margulis, Hsu and Sano. Wang does not remedy the deficiencies of Margulis, Hsu and Sano with respect to amended independent 18. Therefore, amended independent claim 20 is patentable over Margulis, Hsu, Sano and Wang for the same reason that amended independent claim 18 is patentable over Margulis, Hsu, Sano and Wang.

IV. In view of the above, the allowance of claims 1-6 and 8-20, as amended, is respectfully solicited.

CONCLUSION

In view of the above, applicant(s) believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

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Attachments: Figs. 4 and 6